

PROB 12B
(7/93)

Report Date: April 27, 2007

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

APR 30 2007

Eastern District of Washington

JAMES R. LAHSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Patrick J Broenneke

Case Number: 2:02CR00150-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen

Date of Original Sentence: 03/25/2003

Type of Supervision: Supervised Release

Original Offense: Attempted Possession of Red
Phosphorus, 21 U.S.C. § 841(c)(2)

Date Supervision Commenced: 07/25/2005

Original Sentence: Prison - 41 Months;
TSR - 36 Months

Date Supervision Expires: 07/24/2008

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 16 You shall reside in a residential reentry center for a period of up to 180 days. You shall not be entitled to the benefits of the prerelease component. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

CAUSE

On April 25, 2007, the defendant was contacted by USPO Richard Law, and the undersigned officer at his residence. Mr. Broenneke was contacted walking up to his residence, and appeared to be very nervous. Further, Mr. Broenneke was exhibiting physical behaviors and symptoms consistent with an individual who was using methamphetamine. The defendant was confronted with his behavior and appearance, and admitted that he had relapsed, and was using methamphetamine on April 22, 2007.

Upon further questioning, the defendant admitted he had just purchased \$20 worth of methamphetamine, which was in his wallet. Mr. Broenneke provided a plastic bag, approximately one square inch, that contained a small amount of a granular substance that he indicated was methamphetamine. He also provided officers with a glass pipe for which he used to smoke the substance. The product in the bag field tested positive for methamphetamine.

The undersigned officer contacted Supervising U.S. Probation Officer Gayla Hunt and staffed the situation over the telephone. A decision was made to address the matter as a violation of supervised release, and local law enforcement was not contacted for the purpose of arresting the defendant on a new law violation. The contraband items were seized by the U.S. Probation Office.

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Mr. Broenneke also advised the undersigned officer that approximately 10 days earlier he had been terminated from his employment. He was confronted about not reporting this information in a timely manner. He indicated he was embarrassed about losing his job, and had hoped to quickly find other employment prior to advising this officer.

On April 27, 2007, the defendant reported to the U.S. Probation Office and provided a urine sample that tested presumptively positive for methamphetamine. Mr. Broenneke will be referred to relapse prevention and mental health counseling to assist him in managing his depression.

Due to the serious nature of the violation behavior and the need for a more structured living arrangement, it appears the defendant would benefit from being placed in a residential reentry center (RRC) for up to 180 days. This will allow for closer supervision, assist in facilitation of treatment and counseling, and provide both incentive and direction in finding employment.

Mr. Broenneke signed a waiver of hearing to modify conditions on April 27, 2007, agreeing to the above recommendation. Please advise this officer should Your Honor require a different course of action or a Court appearance by the defendant.

Respectfully submitted,

by

Matthew L Thompson

U.S. Probation Officer

Date: April 27, 2007

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


 Signature of Judicial Officer

 4/30/07
 Date